

# **Exhibit 155**

*Redacted Public Version*

1  
2 UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK  
3 Case No. 1:22-cv-00983-VEC

-----x

4 NIKE, INC.,

5 Plaintiff,

6 - against -

7 STOCKX LLC,

8 Defendant.

9 -----x

10 February 8, 2023

9:48 a.m.

11  
12  
13 VIDEOTAPED DEPOSITION of JOE PALLETT,  
14 located at Debevoise & Plimpton LLC, 66  
15 Hudson Boulevard, New York, New York 10001,  
16 before Anthony Giarro, a Registered  
17 Professional Reporter, a Certified Realtime  
18 Reporter and a Notary Public of the State  
19 of New York.  
20  
21  
22  
23  
24  
25

<p style="text-align: right;">Page 2</p> <p>1 2 A P P E A R A N C E S : 3 4 5 DLA PIPER LLP Attorneys for Plaintiff 6 1251 Avenue of the Americas New York, New York 10020 7 212.335.4964 8 BY: TAMAR DUVDEVANI, ESQ. MARC MILLER, ESQ. 9 tamar.duvdevani@dlapiper.com marc.miller@dlapiper.com 10 11 DEBEVOISE &amp; PLIMPTON LLP Attorneys for Defendant 12 919 Third Avenue New York, New York 10022 13 BY: MEGAN K. BANNIGAN, ESQ. MAI-LEE PICARD, ESQ. 14 mkbannigan@debevoise.com mpicard@debevoise.com 15 16 DEBEVOISE &amp; PLIMPTON LLP Attorneys for Defendant 17 650 California Street San Francisco, California 94108 18 BY: CHRISTOPHER FORD, ESQ. csford@debevoise.com 19 20 ALSO PRESENT: 21 ANTON EVANGELISTA, Videographer 22 KIMBERLY VAN VOORHIS, ESQ., Nike 23 24 25</p>	<p style="text-align: right;">Page 4</p> <p>1 2 THE VIDEOGRAPHER: Good 3 morning. We are going on the record 4 at 9:48 a.m. on February 8th, 2023. 5 Please note that the microphones are 6 sensitive and may pick up whispering 7 and private conversations. Please 8 mute your phones at this time. Audio 9 and video recording will continue to 10 take place unless all parties agree 11 to go off the record. 12 This is Media Unit 1 of the 13 video-recorded deposition of Joe 14 Pallett, taken by counsel for 15 plaintiff, in the matter of Nike 16 Incorporated versus StockX LLC, filed 17 in the United States District Court 18 for the Southern District of New 19 York, Case No. 1:22-cv-00983-VEC. 20 The location of the deposition is 21 Debevoise &amp; Plimpton, 66 Hudson 22 Boulevard in New York City. 23 My name is Anton Evangelista 24 representing Veritext. And I am the 25 videographer. The court reporter is</p>
<p style="text-align: right;">Page 3</p> <p>1 2 S T I P U L A T I O N S 3 4 IT IS HEREBY STIPULATED AND AGREED, 5 by and among counsel for the respective 6 parties hereto, that the filing, sealing 7 and certification of the within deposition 8 shall be and the same are hereby waived; 9 IT IS FURTHER STIPULATED AND AGREED 10 that all objections, except as to form of 11 the question, shall be reserved to the time 12 of the trial; 13 IT IS FURTHER STIPULATED AND AGREED 14 that the within deposition may be signed 15 before any Notary Public with the same 16 force and effect as if signed and sworn to 17 before the Court. 18 * * * 19 20 21 22 23 24 25</p>	<p style="text-align: right;">Page 5</p> <p>1 2 Anthony Giarro from the firm 3 Veritext. 4 I'm not authorized to 5 administer an oath, I'm not related 6 to any party in this action, nor am I 7 financially interested in the 8 outcome. 9 If there are any objections 10 to the proceeding, please state them 11 at the time of your appearance. 12 Counsel and all present will 13 now state their appearances and 14 affiliations for the record, 15 beginning with the noticing attorney. 16 MS. BANNIGAN: Thank you. 17 Good morning. I'm Megan Bannigan of 18 Debevoise &amp; Plimpton on behalf of 19 StockX. And with me are my 20 colleagues from Debevoise &amp; Plimpton, 21 Mai-Lee Picard and Christopher Ford. 22 MS. DUVDEVANI: Good 23 morning. Tamar Duvdevani, DLA Piper, 24 on behalf of Nike, Inc. With me is 25 my colleague, Marc Miller, also with</p>

<p>Page 14</p> <p>1 JOE PALLETT</p> <p>2 [REDACTED]</p> <p>3 [REDACTED]</p> <p>4 [REDACTED]</p> <p>5 [REDACTED]</p> <p>6 [REDACTED]</p> <p>7 [REDACTED]</p> <p>8 And you are designated to</p> <p>9 speak on behalf of Nike on this topic;</p> <p>10 correct?</p> <p>11 A Yes.</p> <p>12 Q [REDACTED]</p> <p>13 [REDACTED]</p> <p>14 [REDACTED]</p> <p>15 [REDACTED]</p> <p>16 [REDACTED]</p> <p>17 [REDACTED]</p> <p>18 A Yes.</p> <p>19 Q [REDACTED]</p> <p>20 [REDACTED]</p> <p>21 [REDACTED]</p> <p>22 [REDACTED]</p> <p>23 MS. DUVDEVANI: Objection.</p> <p>24 A Sorry. Could you repeat</p> <p>25 that?</p>	<p>Page 16</p> <p>1 JOE PALLETT</p> <p>2 Q [REDACTED]</p> <p>3 [REDACTED]</p> <p>4 A No.</p> <p>5 Q [REDACTED]</p> <p>6 [REDACTED]</p> <p>7 [REDACTED]</p> <p>8 [REDACTED]</p> <p>9 [REDACTED]</p> <p>10 [REDACTED]</p> <p>11 [REDACTED]</p> <p>12 [REDACTED]</p> <p>13 [REDACTED]</p> <p>14 [REDACTED]</p> <p>15 [REDACTED]</p> <p>16 [REDACTED]</p> <p>17 [REDACTED]</p> <p>18 [REDACTED]</p> <p>19 [REDACTED]</p> <p>20 [REDACTED]</p> <p>21 [REDACTED]</p> <p>22 [REDACTED]</p> <p>23 [REDACTED]</p> <p>24 [REDACTED]</p> <p>25 [REDACTED]</p>
<p>Page 15</p> <p>1 JOE PALLETT</p> <p>2 Q Yes.</p> <p>3 [REDACTED]</p> <p>4 [REDACTED]</p> <p>5 [REDACTED]</p> <p>6 [REDACTED]</p> <p>7 A No.</p> <p>8 Q [REDACTED]</p> <p>9 [REDACTED]</p> <p>10 [REDACTED]</p> <p>11 [REDACTED]</p> <p>12 [REDACTED]</p> <p>13 Q Good question.</p> <p>14 [REDACTED]</p> <p>15 [REDACTED]</p> <p>16 [REDACTED]</p> <p>17 A I have an idea.</p> <p>18 Q Would that be a phrase that</p> <p>19 you would use?</p> <p>20 [REDACTED]</p> <p>21 [REDACTED]</p> <p>22 Q Yes.</p> <p>23 A Yes. [REDACTED]</p> <p>24 [REDACTED]</p> <p>25 [REDACTED]</p>	<p>Page 17</p> <p>1 JOE PALLETT</p> <p>2 [REDACTED]</p> <p>3 [REDACTED]</p> <p>4 [REDACTED]</p> <p>5 [REDACTED]</p> <p>6 [REDACTED]</p> <p>7 [REDACTED]</p> <p>8 [REDACTED]</p> <p>9 [REDACTED]</p> <p>10 [REDACTED]</p> <p>11 [REDACTED]</p> <p>12 [REDACTED]</p> <p>13 [REDACTED]</p> <p>14 [REDACTED]</p> <p>15 [REDACTED]</p> <p>16 [REDACTED]</p> <p>17 [REDACTED]</p> <p>18 Q Let's flip to Topic 31, same</p> <p>19 document.</p> <p>20 Before I ask you about 31,</p> <p>21 did you do anything specifically to</p> <p>22 prepare to testify on behalf of Nike on</p> <p>23 the Topic 23 that we were just speaking</p> <p>24 about?</p> <p>25 A We reviewed it and discussed</p>

Page 122

1 JOE PALLETT

2 Q Do you have an understanding

3 of why it's done that way?

4 A No.

5 MS. BANNIGAN: I'm going to

6 switch to a new topic. We've been

7 going just about an hour. I don't

8 know if you want to take a break now

9 or go a little bit longer. We can

10 have lunch whenever you want to have

11 lunch. It's up to you.

12 MS. DUVDEVANI: It's 12:15.

13 We can go for another 15 minutes.

14 But if it's more convenient -- I mean

15 I'll ask the witness how he feels.

16 THE WITNESS: I'm fine with

17 another 15 minutes.

18 MS. BANNIGAN: I'm going to

19 mark as Exhibit 5, a document titled

20 [REDACTED]

21 [REDACTED] That's the

22 heading at the top, Bates Stamped

23 NIKE0039821 through 39826. And it's

24 FY20 Q3 NA Impact Report.

25 (The above-referred-to

Page 123

1 JOE PALLETT

2 document was marked as Exhibit 5 for

3 identification, as of this date.)

4 Q Are you familiar with this

5 report?

6 A These reports come out

7 quarterly. So I'm familiar with the

8 format of this report.

9 Q What are these reports used

10 for?

11 [REDACTED]

12 [REDACTED]

13 [REDACTED] protection is

14 taking to protect the brand.

15 Q Are you involved in the

16 creation of these reports?

17 A Only if I can provide a

18 particular highlight that is relevant to

19 the region, otherwise no.

20 Q What kind of highlight are

21 you referring to?

22 A Something particularly

23 interesting involving my space that

24 occurred in the region.

25 Q Can you give me an example?

Page 124

1 JOE PALLETT

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 Q So let's look at the next

21 page.

22 A I'm sorry. Which page?

23 Q Sorry. The second page.

24 Actually, let's go back to

25 the first page. Sorry.

Page 125

1 JOE PALLETT

2 A Sure.

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

<div>1</div> <div>JOE PALLETT</div> <div>Page 134</div> <div>[REDACTED]</div>	<div>1</div> <div>JOE PALLETT</div> <div>Page 136</div> <div>[REDACTED]</div>
<div>1</div> <div>JOE PALLETT</div> <div>Page 135</div> <div>[REDACTED]</div>	<div>1</div> <div>JOE PALLETT</div> <div>Page 137</div> <div>[REDACTED]</div>







<div>1</div> <div>JOE PALLETT</div> <div>Page 166</div> <div>[REDACTED]</div>	<div>1</div> <div>JOE PALLETT</div> <div>Page 168</div> <div>[REDACTED]</div>
<div>1</div> <div>JOE PALLETT</div> <div>Page 167</div> <div>[REDACTED]</div>	<div>1</div> <div>JOE PALLETT</div> <div>Page 169</div> <div>[REDACTED]</div>



24 Q Are you familiar with near  
25 field communication technology?

21 MS. BANNIGAN: I'm going to  
22 mark as Exhibit 10, a document Bates  
23 Stamped NIKE0029103 through 29104.  
24 It is a June 29th, 2022 e-mail,  
25 subject, "[REDACTED] Proposal."

\_\_\_\_\_

21 MS. BANNIGAN: I'm going to  
22 mark as Exhibit 10, a document Bates  
23 Stamped NIKE0029103 through 29104.  
24 It is a June 29th, 2022 e-mail,  
25 subject, "[REDACTED] Proposal."

Page 262

1 JOE PALLETT  
 2 to technology leadership about the work  
 3 that Manny and his team were doing.  
 4 Q And what exactly were Manny  
 5 and his team doing?  
 6 [REDACTED]  
 7 [REDACTED]  
 8 [REDACTED]  
 9 [REDACTED]  
 10 A Yes.  
 11 Q It looks like there's  
 12 regular page numbers in this. If you go  
 13 to the deck, there's a 6 in the lower  
 14 right-hand corner above the Bates Stamp.  
 15 It says [REDACTED]

Page 263

1 JOE PALLETT  
 2 [REDACTED]  
 3 [REDACTED]  
 4 [REDACTED]  
 5 [REDACTED]  
 6 [REDACTED]  
 7 [REDACTED]  
 8 [REDACTED]  
 9 [REDACTED]  
 10 [REDACTED]  
 11 [REDACTED]  
 12 [REDACTED]  
 13 [REDACTED]  
 14 [REDACTED]  
 15 [REDACTED]  
 16 What is ED&A?  
 17 A It stands for Enterprise  
 18 Data Analytics.  
 19 Q What is that exactly?  
 20 A It is a group within Nike  
 21 focused on developing analytics.

Page 264

1 JOE PALLETT  
 2 discussed earlier.  
 3 Q What exactly do you mean by  
 4 the dashboards?  
 5 [REDACTED]  
 6 [REDACTED]  
 7 [REDACTED]  
 8 [REDACTED]  
 9 [REDACTED]  
 10 [REDACTED]  
 11 [REDACTED]  
 12 [REDACTED]  
 13 [REDACTED]  
 14 Q Anything else that the ED&A  
 15 team does with the analytics, other than  
 16 create what you're able to see on the  
 17 dashboard?  
 18 A It's a team that's broadly  
 19 used throughout Nike. I'm not their only  
 20 client.

Page 265

1 JOE PALLETT  
 2 [REDACTED]  
 3 [REDACTED]  
 4 [REDACTED]  
 5 [REDACTED]  
 6 [REDACTED]  
 7 [REDACTED]  
 8 [REDACTED]  
 9 [REDACTED]  
 10 [REDACTED]  
 11 [REDACTED]  
 12 Q What parts of this does  
 13 brand protection use?  
 14 MS. DUVDEVANI: Objection.  
 15 A I'm afraid I can't answer  
 16 that. I don't know. This would require  
 17 somebody with more technical expertise  
 18 than I have.  
 19 Q Is there anything on here  
 20 that you actually use?

67 (Pages 262 - 265)





[illegible]

Page 276

1 JOE PALLETT  
2 [REDACTED]  
3 A Yes.  
4 Q So when Mary Ange went to  
5 inspect the shoes, what did she do to  
6 inspect the shoes?  
7 [REDACTED]  
8 [REDACTED]  
9 [REDACTED]  
10 [REDACTED]  
11 [REDACTED]  
12 [REDACTED]  
13 [REDACTED]  
14 [REDACTED]  
15 Q And what did she find?  
16 A She found that three of the  
17 pairs of shoes that were suspicious of  
18 being counterfeit were, in fact,  
19 counterfeit.  
20 Q And so what did brand  
21 protection do next with respect to those  
22 counterfeit -- alleged counterfeit shoes?  
23 MS. DUVDEVANI: Objection.  
24 A Mary Ange took the product,  
25 put them in a shipping box and sent them

[illegible]

Page 277

1 JOE PALLETT  
2 to me.  
3 Q What did you do with them  
4 once you received them?  
5 MS. DUVDEVANI: Objection.  
6 A I inspected them myself and  
7 then stored them in the brand protection  
8 evidence locker.  
9 Q How did you inspect them?

[REDACTED]

Page 354

1  
2 CERTIFICATION  
3  
4

5 I, ANTHONY GIARRO, a Shorthand  
6 Reporter and a Notary Public, do hereby  
7 certify that the foregoing witness, JOE  
8 PALLETT, was duly sworn on the date  
9 indicated, and that the foregoing, to the  
10 best of my ability, is a true and accurate  
11 transcription of my stenographic notes.

12 I further certify that I am not  
13 employed ~~by nor related to any party to~~  
14 this action

15   
16

17  
18 \_\_\_\_\_  
19 ANTHONY GIARRO  
20  
21  
22  
23  
24  
25

Page 355

1  
2 ERRATA SHEET  
3 VERITEXT/NEW YORK REPORTING, LLC  
4 1-800-727-6396

5 330 Old Country Road 7 Times Square  
6 Mineola, New York 11501 New York, New  
7 York 10036

8 NAME OF CASE: Nike versus StockX  
9 DATE OF DEPOSITION: February 8, 2023  
10 NAME OF DEPONENT: Joe Pallett

11 PAGE LINE (S) CHANGE REASON  
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26 \_\_\_\_\_  
27 JOE PALLETT

28 SUBSCRIBED AND SWORN TO BEFORE ME  
29 THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

30 \_\_\_\_\_  
31 (NOTARY PUBLIC) MY COMMISSION EXPIRES:

90 (Pages 354 - 355)